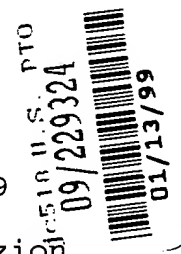


IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Yukoh HIEI et al.
SERIAL NO.: Continuation Application
under 37 C.F.R. § 1.53(b) of
Application No. 08/668,464 GROUP NO.: 1649
FILED: June 25, 1996 EXAMINER: Benzion
FOR: METHOD FOR TRANSFORMING MONOCOTYLEDONS



INFORMATION DISCLOSURE STATEMENT
(SUBMISSION WITH CONTINUATION-IN-PART OR
RULE 1.53(b) CONTINUATION OR DIVISIONAL APPLICATION)

Assistant Commissioner for Patents
Washington, DC 20231

January 13, 1999

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449 form(s), attached hereto.

II. REFERENCES PREVIOUSLY CITED OR SUBMITTED

Pursuant to 37 C.F.R. § 1.98(d), consideration of information listed on the PTO-1449 form(s) is requested since any patents, publications or other information which are listed on the PTO-1449 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

08/668,464

June 25, 1996

III. FEES

This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation or divisional patent application; therefore, no fee is required.

If the Examiner has any questions concerning this IDS or requires a copy of any of the references cited but not provided, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 

Gerald M. Murphy, Jr.
Reg. No. 28,977

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GMM/MAL/cpw

Enclosures: X PTO-1449 (6 sheets)
 Documents
 Foreign Search Report
 Other:

(Rev. 6/15/98)
idscipcn.div

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	ATTY DOCKET NO. 760-262P	APPLICATION NO. Cont. Appln. Under 37 C.F.R. 1.53(b) Of Appln No. 08/668,464
	APPLICANT Yukoh HIEI et al.	
	FILING DATE January 13, 1999	GROUP 1649

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRI ATE
	4	9	4	0	8	3	8	07/1990	Schilperoort et al.			
	5	1	6	4	3	1	0	11/1992	Smith et al.			
	5	1	4	9	6	4	5	09/1992	Hoekema et al.			
	5	1	7	7	0	1	0	01/1993	Goldman et al.			
	5	1	8	7	0	7	3	02/1993	Goldman et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
												YES	NO
	WO	89	1	2	1	0	2	12/1989	PCT				
	EP	1	2	0	5	1	6	10/1984	EPO				
	EP	1	5	9	4	1	8	10/1985	EPO				
	EP	1	1	6	7	1	8	08/1984	EPO				
	EP	1	7	6	1	1	2	04/1986	EPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	Lupotto et al. (1988) <u>Maydica</u> 33:163-177
	Mikami et al. (1988) <u>Plant Cell, Tissue and Organ Culture</u> 12:311-314
	Saito et al. (1992) <u>Theoretical and Applied Genetics</u> 83:679-683
	Komari et al. (1989) <u>Theoretical and Applied Genetics</u> 77:547-552
	Komari (1989) <u>Plant Science</u> (1989) 60:223-229
	Drlica et al. (1974) <u>Proc. Natl. Acad. Sci USA</u> 71:3677-3681

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						YES	NO
	EP 2 9 0 7 9 9	11/1988	EPO				
	EP 3 2 0 5 0 0	06/1989	EPO				
	JP90 4 1 1 6 8 1		Japan			Abstr.	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	Pietrzak et al. (1986) <u>Nucleic Acids Research</u> 14:5857-5868
	Ohta et al. (1990) <u>Plant Cell Physiol.</u> 31(6):805-813
	Murashige et al. (1962) <u>Physiologia Plantarum</u> 15:473-497
	Toriyama et al. (1985) <u>Plant Science</u> 41:179-183
	Ditta et al. (1980) <u>Proc. Natl. Acad. Sci. USA</u> 77:7347-7351
	Horsch et al. (1984) <u>Science</u> 223:496-499
	Herrera-Estrella et al. (1983) <u>The EMBO Journal</u> 2(6):987-995
	Jin et al. (1987) <u>Journal of Bacteriology</u> 169(10):4417-4425
	Komari et al. (1986) <u>Journal of Bacteriology</u> 166(1):88-94
	Linsmaier et al. (1965) <u>Physiologia Plantarum</u> 18:100-127
	Hood et al. (1984) <u>Biotechnology</u> 2:702-709
	Hood et al. (1986) <u>Journal of Bacteriology</u> 168(3):1283-1290
	Toriyama et al. (1988) <u>BIO/TECHNOLOGY</u> 6:1072-1074
	Shimamoto et al. (1989) <u>Nature</u> 338:274-277

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					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	Rhodes et al. (1988) <u>Science</u> 240:204-207
	Zhang et al. (1988) <u>Theoretical and Applied Genetics</u> 76:835-840
	Datta et al. (1990) <u>BIO/TECHNOLOGY</u> 8:736-740
	Gordon-Kamm et al. (1990) <u>The Plant Cell</u> 2:603-618
	Christou et al. (1991) <u>BIO/TECHNOLOGY</u> 9:957-962
	Fromm et al. (1990) <u>BIO/TECHNOLOGY</u> 8:833-839
	Töpfer et al. (1989) <u>The Plant Cell</u> 1:133-139
	Caboche et al. (1990) <u>Physiol. Plant.</u> 79:173-176
	Gad et al. (1990) <u>Physiologia Plantarum</u> 79:177-183
	Neuhaus et al. (1987) <u>Theoretical and Applied Genetics</u> 75:30-36
	<u>THE BOTANICAL REVIEW</u> 390-466
	Bytebier et al. (1987) <u>Proc. Natl. Acad. Sci. USA</u> 84:5345-5549
	Schäfer et al. (1987) <u>NATURE</u> 327:529-533
	Potrykus (June, 1990) <u>BIO/TECHNOLOGY</u> , 535-542
	Grimsley et al. (1987) <u>NATURE</u> 325(8):177-179
	Grimsley et al. (1988) <u>BIO/TECHNOLOGY</u> 6:185-189

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											YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)											
	Grimsley et al. (1989) <u>Mol Gen Genet</u> 217:309-316										
	Gould et al. (1991) <u>Plant Physiol.</u> 95:426-434										
	Mooney et al. (1991) <u>Plant Cell, Tissue and Organ Culture</u> 25:209-218										
	Raineri et al. (1990) <u>BIO/TECHNOLOGY</u> 8:33-38										
	Chih-ching (1981) <u>Plant Tissue Culture</u> , Pitman, Boston, pp. 43-50										
	Gritz et al. (1983) <u>Gene</u> 25:179-188										
	De Greve et al. (1981) <u>PLASMID</u> 6:235-248										
	Luo et al. (1988) <u>Plant Molecular Biology Reporter</u> 6(3):165-174										
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	DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	92	0	9	6	9	6	06/1992	WO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)											
	Li et al. (1991) Science in China (Series B), Vol. 34(8), pp. 923-931										
	Chan et al. (1992) Plant Cell Physiol. 33(5) pp. 577-583										
	Li et al. (1991) Science in China (Series B), Vol. 34(1), pp. 54-63										
	Yao et al. (1990) Chinese J. Bot 2(2):81-87										
	Lee et al. (1991) Proc.Nat'l.Acad.Sci. USA 88(15)6389-93										
	Sangwan et al. (1991) Mol. and Gen. Genetics, Vol.230, pp. 475-485										
	Chem.Abstacts (1988) Vol. 109(13), Abstract No. 105884										
	Ingo Potrykus (1990) Biotechnology Vol. 8, pp. 535-542										
	Schlappi et al. (1992) The Plant Cell Vol. 4, pp. 7-16										
	Gould et al. (1991) Plant Physiology vol. 95, pp. 426-434										
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	5 5 9 1 6 1 6	01/07/97	Hiei et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
					YES	NO
06 0 4 6 6 2 A1	07/1994	EPO				
05 0 4 8 6 9 A2	09/1992	EPO				
06 7 2 7 5 2 A1	09/1995	EPO				
05 8 6 3 5 5 A2	03/1994	EPO				
WO8 6 0 3 7 7 6	07/1986	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	Ishida et al. (1996), Nature Biotechnology, V.14, pp.745-750
	Chan et al. (1993) Plant Molecular Biology 22:491-506
	Hiei et al. (1994) The Plant Journal 6(2), 271-282
	Landgridge et al. "Transformation of cereals via Agrobacterium and pollen pathway: a critical assessment."
	Vol. 2(4) pp. 631-638 (1992)

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